

# EXHIBIT C

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

1:19-CV-00397-PKC

KRISTEN PIERSON,

Plaintiff

V.

FACEBOOK, INC.

Defendant

VIDEOTAPED DEPOSITION of KRISTEN PIERSON,  
called on behalf of the Defendant, taken pursuant to  
the provisions of the Massachusetts Rules of Civil  
Procedure, before Michele DeCoste, a Professional  
Court Reporter and Notary Public, in and for the  
Commonwealth of Massachusetts, at 101 Arch Street,  
Suite 650, Boston, MA 02110, on Friday, August 16,  
2019, commencing at 10:09 a.m.

-----

A P P E A R A N C E S

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Bob Gianinni, Videographer

## I N D E X

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
KRISTEN PIERSON				
(By Mr. Keyes)	6			
(By Mr. Liebowitz)		189		

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1 (Exhibit Number 2, Amended  
2 Complaint, was Marked for  
3 Identification.)  
4

5 Q Ms. Pierson, you've been handed Exhibit 2 to  
6 your deposition today. If you'd take a  
7 moment to review that document, I'm going to  
8 ask you a few questions.

9 A Okay.

10 Q Exhibit 2 is the amended complaint that was  
11 filed in this case, is that correct?

12 A Yes.

13 Q Then before it was filed, it was a document  
14 that was filed on approximately  
15 August 17, 2019. You see that  
16 August 17, 2019?

17 A Yes.

18 Q It's dated at the top?

19 A Yes.

20 Q Before that document was filed in federal  
21 court, did you review it, ma'am?

22 A No.

23 Q Before that document was filed, did you  
24 authorize anybody to file it on your behalf?

1 A Could you explain what you're trying to say?

2 Q Before that document was filed, Exhibit 2,  
3 did you authorize anybody to file it on your  
4 behalf?

5 A If anybody, it would be my attorney.

6 Q As you sit here today, can you testify that  
7 you authorized anybody to file that amended  
8 complaint, Exhibit 2?

9 A No.

10 Q So you didn't review it before it was filed?

11 A No.

12 Q So I take it, then, you can testify as to the  
13 accuracy of the allegations in Exhibit 2, is  
14 that correct?

15 A Correct. I believe that the allegations are  
16 correct in the filing.

17 Q Okay. But again, you just testified that  
18 you didn't review Exhibit 2 before it was  
19 filed?

20 A No, but I did read it after it was filed.

21 Q So you reviewed it after. When did you  
22 review it, ma'am?

23 A I don't recall a specific day, but it was  
24 after it was filed.

1 approximation as you sit here today?

2 A I don't have an approximate number that I can  
3 give, but I would say probably over 50-.

4 Q Over 50-, but less than 75,000.

5 A I don't know.

6

7 (Exhibit Number 3, Request for  
8 Production of Documents, was  
9 Marked for Identification.)

10

11 Q You've been handed Exhibit 3 to your  
12 deposition today. Would you take a moment to  
13 review that?

14 A Yes.

15 Q Have you seen that document before, Exhibit  
16 3?

17 A Yes.

18 Q You understand that this is a document  
19 whereby Facebook requested you to disclose  
20 certain documents that would be relevant to  
21 the lawsuit? Do you understand that?

22 A Yes.

23 Q And did you ultimately produce documents  
24 pursuant to Exhibit 3?



1 A Some.

2 Q You produced some documents, but not all the  
3 documents that you have?

4 A I guess I don't understand your question.

5 Q So Exhibit 3 is a request for production of  
6 documents. You see that?

7 A Yes.

8 Q It requests production of certain documents  
9 that were relevant or germane to the lawsuit.  
10 You understand that?

11 A Yes.

12 Q And I asked you if you produced documents  
13 pursuant to Exhibit 3, those requests, and  
14 you said yes, "some"?

15 A Well, I'm not sure because I just read this  
16 yesterday. I just got this yesterday.

17 Q Before you read that yesterday, had you ever  
18 reviewed it prior to that?

19 A No.

20 Q And did you -- I don't want to know about the  
21 substance of your discussion, but did you  
22 ever speak with Mr. Liebowitz or anybody at  
23 Mr. Liebowitz's firm about Exhibit 3?

24 A No.

1 Q So is it fair to say that, Ms. Pierson,  
2 you're not sure what documents, if any, were  
3 produced pursuant to Exhibit 3?

4 A Yes.

5  
6 (Exhibit Number 4, Certificate  
7 of Registration Packet, was  
8 Marked for Identification.)  
9

10 Q Ms. Pierson, you've been handed Exhibit 4 to  
11 your deposition today. If you take a moment  
12 to review that, that would be great.

13 A Okay.

14 Q You've seen those documents in Exhibit 4,  
15 correct?

16 A Yes.

17 Q In fact, you authorized the production of  
18 those documents to be turned over to  
19 Facebook, correct?

20 A Yes.

21 Q Other than the documents in Exhibit 4, do you  
22 have any other documents in your possession,  
23 custody, or control that would be responsive  
24 to the request for production that we just

1                   you turn it over to your attorneys?

2           A           No.

3           Q           So is that maybe why it didn't get produced  
4                   because you didn't provide it to your  
5                   lawyers?

6           A           Yes.

7           Q           Why did you withhold that document?

8           A           I just got the request yesterday, so I didn't  
9                   have time to go through all the records.

10          Q           So where are your records stored with  
11                   respect to your photographic business, ma'am?

12          A           Could you explain what you mean by "records"?

13          Q           Well, you maintain certain records and  
14                   documents with respect to your photographic  
15                   business, correct?

16          A           Yes.

17          Q           And do you generally store those in a  
18                   particular location or number of locations?

19          A           Yes.

20          Q           Where?

21          A           A file.

22          Q           A file where?

23          A           At my home.

24          Q           Is this like a file cabinet?

1 at the moment.

2 Q And why is that?

3 A Because I started a new business.

4 Q Is it one of the businesses that we spoke  
5 about earlier, the lash business?

6 A Yes.

7 Q Is it the lash business that you've recently  
8 started?

9 A Yes.

10 Q You haven't had time for your photographic  
11 endeavors?

12 A Correct.

13

14 (Exhibit Number 5, Answers to  
15 Interrogatories, was Marked  
16 for Identification.)

17

18 Q Here is Exhibit 5 to your deposition today.  
19 Take a moment to review it.

20 A Yes.

21 Q Exhibit 5 to your deposition is a set of  
22 interrogatories, do you see that?

23 A Yes.

24 Q And Exhibit 5 contains a number of your

1                   answers, did you see that?

2           A           Yes.

3           Q           When was the first time you reviewed Exhibit  
4                   5? Was it earlier this week?

5           A           Perhaps. Yes.

6           Q           Other than perhaps you reviewed them this  
7                   week, do you have a recollection of reviewing  
8                   Exhibit 5 this week in preparation for your  
9                   deposition today?

10          A           I did just recently see this. I just don't  
11                   know what day specifically but it was within  
12                   the week.

13          Q           Can you turn to Page 3 of Exhibit 5, if you  
14                   would?

15          A           (Witness complies.)

16          Q           Do you see on Page 3 at the top it says  
17                   specific answers and objections?

18          A           Yes.

19          Q           Did you provide these answers here on Page 3?

20          A           No.

21          Q           Did you go over these answers with your  
22                   counsel before they were submitted to  
23                   Facebook?

24          A           No.

1 Q Are you aware, ma'am, that when you answer  
2 interrogatories in a federal lawsuit, that  
3 you as the answering party must verify the  
4 accuracy of the answers? Were you aware of  
5 that?

6 A No.

7 Q So I take it that you've never signed a  
8 verification with respect to the accuracy of  
9 the answers contained in Exhibit 5?

10 A Correct.

11 Q You were never asked to sign a verification,  
12 I take it?

13 A No.

14 Q So as you sit here today, can you testify as  
15 to the accuracy of the answers in Exhibit 5?

16 A No.

17 Q Let's talk a little bit about your  
18 background. Where did you go to high school?

19 A Coventry High School.

20 Q Can you spell that?

21 A C-o-v-e-n-t-r-y.

22 Q Is that in Rhode Island?

23 A Yes.

24 Q What year did you graduate?

## C E R T I F I C A T E P A G E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF NORFOLK, SS

I, Michele C. DeCoste, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing deposition of Kristen Pierson, was taken before me on August 16, 2019. The said witness was duly sworn before the commencement of her testimony; that the said testimony was taken audiographically by myself and then transcribed under my direction. To the best of my knowledge, the within transcript is a complete, true and accurate record of said testimony.

I am not connected by blood or marriage with any of the said parties, nor interested directly or indirectly in the matter at hand.

In witness whereof, I have hereunto set my hand and Notary Seal this 23rd day of August, 2019.

1  
2  
3 

4 Michele C. DeCoste, Notary Public

5 My Commission Expires: July 16, 2021  
6

7 THE FOREGOING CERTIFICATION OF THIS  
8 TRANSCRIPT DOES NOT APPLY TO ANY  
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